

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORGAN STANLEY & CO.
INCORPORATED

Petitioner,

v.

MICHAEL M. KOWNACKI

Respondent.

Case No. 07 Civ 7836
ECF Case
Hon. Richard M. Berman

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)


Jason Crooks, being duly sworn, deposes and says:

1. That I am over eighteen years of age, am employed by Kirkland & Ellis LLP, and am not a party to this action.

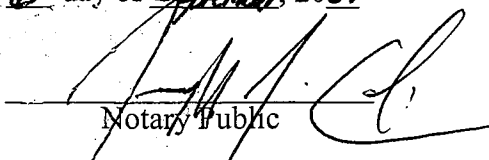
2. I hereby certify that on September 6, 2007, I served a copy of Morgan Stanley & Co. Incorporated's Petition for Confirmation of Arbitration Award, including all exhibits thereto, Corporate Disclosure Statement for Petitioner Morgan Stanley & Co. Incorporated, Individual Practices of Hon. Richard M. Berman and Magistrate Judge Eaton, Procedures for Electronic Case Filing, Amended Instructions for Filing an Electronic Case or Appeal, and Guidelines for Electronic Case Filing by Federal Express Priority Overnight upon:

Jenice Malecki
Malecki Law
11 Broadway, Suite 715, New York, NY 10004
Telephone: (212) 943-1233
Facsimile: (212) 943-1238

by delivering the same in a properly addressed wrapper into the custody of Federal Express for overnight delivery prior to the last time designated by Federal Express for overnight delivery.


Jason Crooks

Sworn to before me this
6 day of September, 2007


Notary Public
JOSEPH J. CALI
Notary Public, State of New York
No. 01CA5015323
Qualified in New York County
Commission Expires July 19, 2009